

## ZONING CHANGE REVIEW SHEET

**CASE:** C14-2010-0205 – 5501 La Crosse Avenue **Z.A.P. DATE:** February 15, 2011  
March 1, 2011

**ADDRESS:** 5501 – 5617 La Crosse Avenue

**OWNER:** Circle C Land, LP  
(Erin D. Pickens)

**AGENT:** Metcalfe Williams, LLP  
(Michele Rogerson Lynch)

**ZONING FROM:** GR-MU-CO **TO:** GR-MU-CO, to modify the conditional overlay as it pertains to a college and university facilities use

**AREA:** 33.790 acres

### **SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant community commercial – mixed use – conditional overlay (GR-MU-CO) combining district zoning to modify the conditional overlay for a college and university facilities use, specifically to increase the square footage for a single occupant of a leasable space from 36,750 to 74,000 square feet on Lot 1 and to prohibit the use on Lot 2. All other portions of the Conditional Overlay that apply to Tract A will remain unchanged.

### **ZONING & PLATTING COMMISSION RECOMMENDATION:**

February 15, 2011: *MEETING CANCELLED; CASE RE-NOTIFIED FOR MARCH 1, 2011*

March 1, 2011: *APPROVED STAFF RECOMMENDATION OF GR-MU-CO DISTRICT ZONING TO CHANGE A CONDITION OF ZONING  
[P. SEEGER; D. TIEMANN – 2<sup>ND</sup>] (6-0) 1 VACANCY ON THE COMMISSION*

### **ISSUES:**

On January 19<sup>th</sup>, 2011, the Applicant met with the Circle C Homeowners Association.

### **DEPARTMENT COMMENTS:**

The subject undeveloped property is described as Lots 1 and 2 of Tract A and is a part of Tract 110 of the Stratus Property at Circle C. It is bounded by La Crosse Avenue on the north, MoPac Expressway to the east and Dahlgreen Avenue to the west. Zoning for this tract as well as several other Stratus properties in the vicinity was approved in August 2002. Tract A is zoned community commercial – mixed use – conditional overlay (GR-MU-CO) district with the conditional overlay establishing prohibited uses, square footage restrictions for a single occupant leasable space and development standards. Access is limited to La Crosse Avenue, and is prohibited to MoPac by a subdivision plat note and to Dahlgreen by the 2002 zoning case. There are single family residences within Circle C Ranch Phase C

across La Crosse Avenue to the north (I-SF-2), a creek and undeveloped property to the south (GO-MU-CO; CS-MU-CO), and an elementary school, undeveloped property and single family residences to the west (I-RR; I-SF-2). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and C (2002 Zoning Ordinance).

The Applicant's requested zoning change is to modify the conditional overlay as it pertains to a college and university facilities use. On Lot 1, the square footage for single occupant leasable space for a college and university facilities use would be increased from its current limit of 36,750 to 74,000. The Applicant's intent is to develop a graduate level school specializing in physical and occupational therapy degrees on two buildings on Lot 1 for a total of 74,000 square feet. The college and university facilities use which is presently permitted on Lot 2 would become a prohibited use. All of the other conditional overlays associated with the subject property, as well as the Development Agreement between the City of Austin and the Circle C Land Corporation and the associated covenants, would remain unchanged.

Staff recommends the Applicant's request as it: 1) represents an incremental change in zoning on the property; 2) allows for a low traffic generating use that is compatible with the nearby uses including single family residences, an elementary school and child care facilities; and 3) balances the allowable density for the proposed use over one lot instead of spreading it across two lots.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	GR-MU-CO	Undeveloped; Drainage and filtration pond; Stormwater and water quality pond
<i>North</i>	I-SF-2	Single family residences
<i>South</i>	GO-MU-CO; CS-MU-CO	Undeveloped
<i>East</i>	N/A	South MoPac Expressway
<i>West</i>	I-RR; RR; I-SF-2	Kiker Elementary School; Child care facility; Greenbelt; Single family residences

**AREA STUDY:** N/A

**TIA:** Is not required

**WATERSHED:** Slaughter Creek –  
Barton Springs Zone – Recharge Zone

**DESIRED DEVELOPMENT ZONE:** No

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** Yes – MoPac

**NEIGHBORHOOD ORGANIZATIONS:**

217 – Tanglewood Forest Neighborhood Association

384 – Save Barton Creek Association

427 – Circle C Homeowners Association

627 – Onion Creek Homeowners Association

705 – OHAN 78735

- 742 – Austin Independent School District
- 786 – Home Builders Association of Greater Austin
- 927 – Circle C Neighborhood Association
- 1037 – Homeless Neighborhood Association
- 1113 – Austin Parks Foundation
- 1134 – Oak Parke / Brodie Wild Preservation Group, Inc.
- 1200 – Super Duper Neighborhood Objectors and Appealers Organization
- 1224 – Austin Monorail Project
- 1236 – The Real Estate Council of Austin, Inc.
- 943 – Save Our Springs Alliance
- 1075 – League of Bicycling Voters
- 1228 – Sierra Club, Austin Regional Group

**SCHOOLS:**

Kiker Elementary School      Gorzycki Middle School      Bowie High School

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-02-0040.109 – Lot 109 – West of Dahlgreen Ave. and approx. 930’ south of La Crosse Ave.	I-RR to RR	To Grant	Approved (8-1-02).
C14-02-0040.111 – Tract 111 – Southeast corner of MoPac and La Crosse Ave.	I-RR to RR	To Grant	Approved (8-1-02).
C14-00-2035, Tract 4 – City of Austin (Bradley Parties) – 5827 La Crosse Ave.	I-RR to LO	To Grant LO-CO with CO limiting building or structure height to 35 feet	Approved LO-CO as Commission recommended (3-23-00).

**RELATED CASES:**

The property was annexed into the full purpose jurisdiction of the City of Austin on December 19, 1997 and assigned I-RR district zoning. The rezoning area is a portion of Tract 110, known as Lots 1 and 2 of Tract A, was approved for GR-MU-CO district zoning on August 1, 2002 (C14-02-0040.110 – Tract 110). The Conditional Overlay for Lots 1 and 2 of Tract A prohibits vehicular access to Dahlgreen Avenue, establishes setbacks for a building or structure, limits height, establishes parking location, prohibits certain uses, and prohibits certain uses for a single occupant of any lease space over 36,750 square feet. The remainder of Tract 110 which is not part of this rezoning case is adjacent to the south.

The property is platted as Circle C Ranch, Phase B, Section Nineteen, a subdivision recorded on April 16, 1997 (C8-84-164.010.1A). The plat includes a note which prohibits access to MoPac. Please refer to Exhibit B.

There are no related site plan cases on the subject property.

**ABUTTING STREETS:**

Street Name	ROW	Pavement	Classification	Daily Traffic
La Crosse Avenue	100 feet	2 @ 24 feet	Collector	3,468+
Dahlgreen Avenue	90 feet	2 @ 22 feet	Collector	2,611++
Loop 1 (MoPac)	Varies	Varies	Expressway	N/A

+5700 Block of La Cross Avenue – West of Rhett Butler Drive (12/01/04)

++ 10400 Block of Dahlgreen Avenue – South of La Crosse Avenue (5/14/01)

- There are existing sidewalks along La Crosse Avenue and Dahlgreen Avenue.
- Capital Metro bus service is not available within 1/4 mile of this property.

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and/or recommended along the adjoining streets as follows:

Street Name	Existing Bicycle Facilities	Recommended Bicycle Facilities
Dahlgreen Avenue (Route 303)	Wide Curb	Bike Lane
La Crosse Avenue (Route 90)	Wide Curb	Bike Lane

**CITY COUNCIL DATE:** March 10, 2011

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

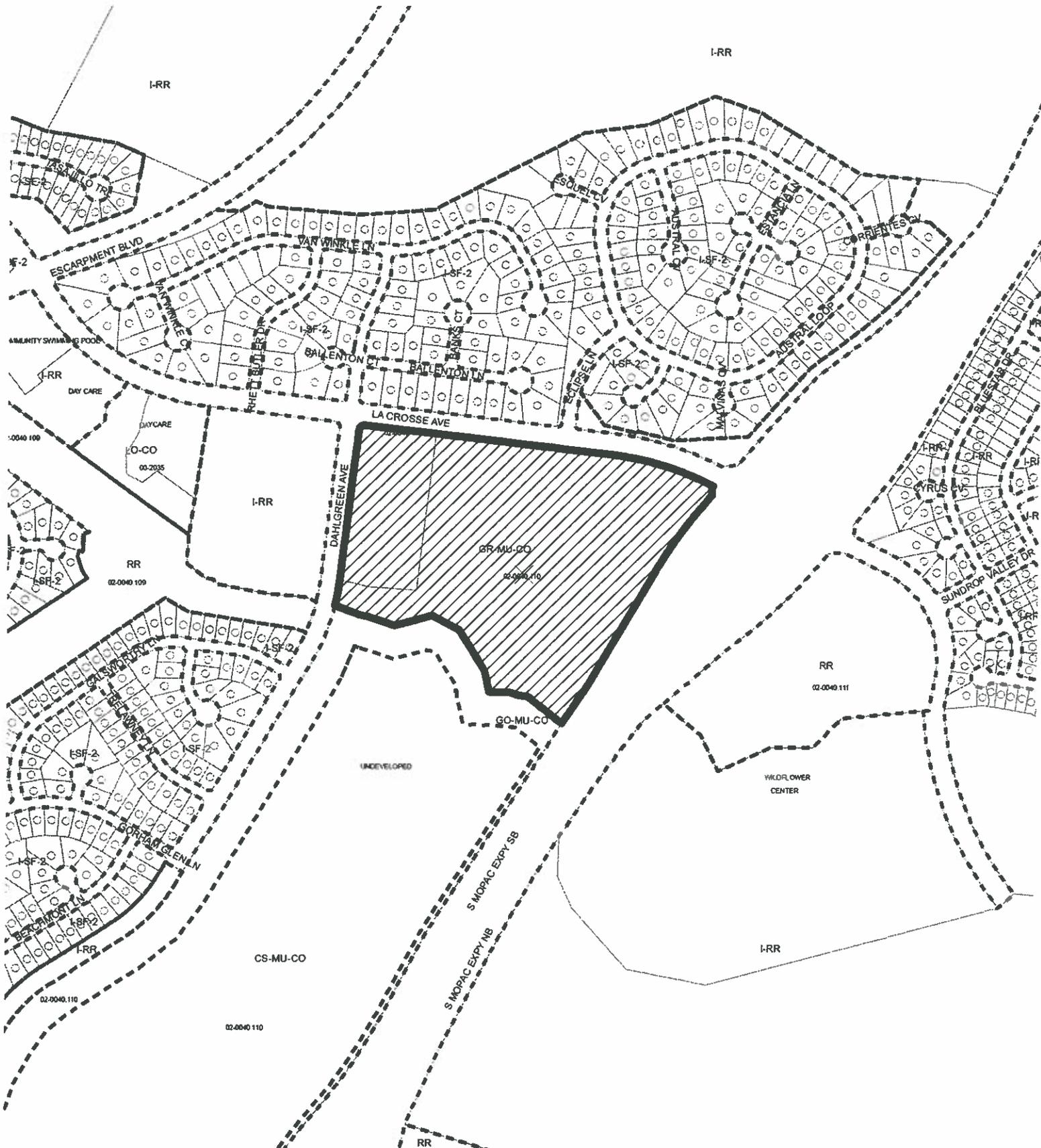
2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Wendy Rhoades  
e-mail: wendy.rhoades@ci.austin.tx.us

**PHONE:** 974-7719



**ZONING**

*Exhibit A*

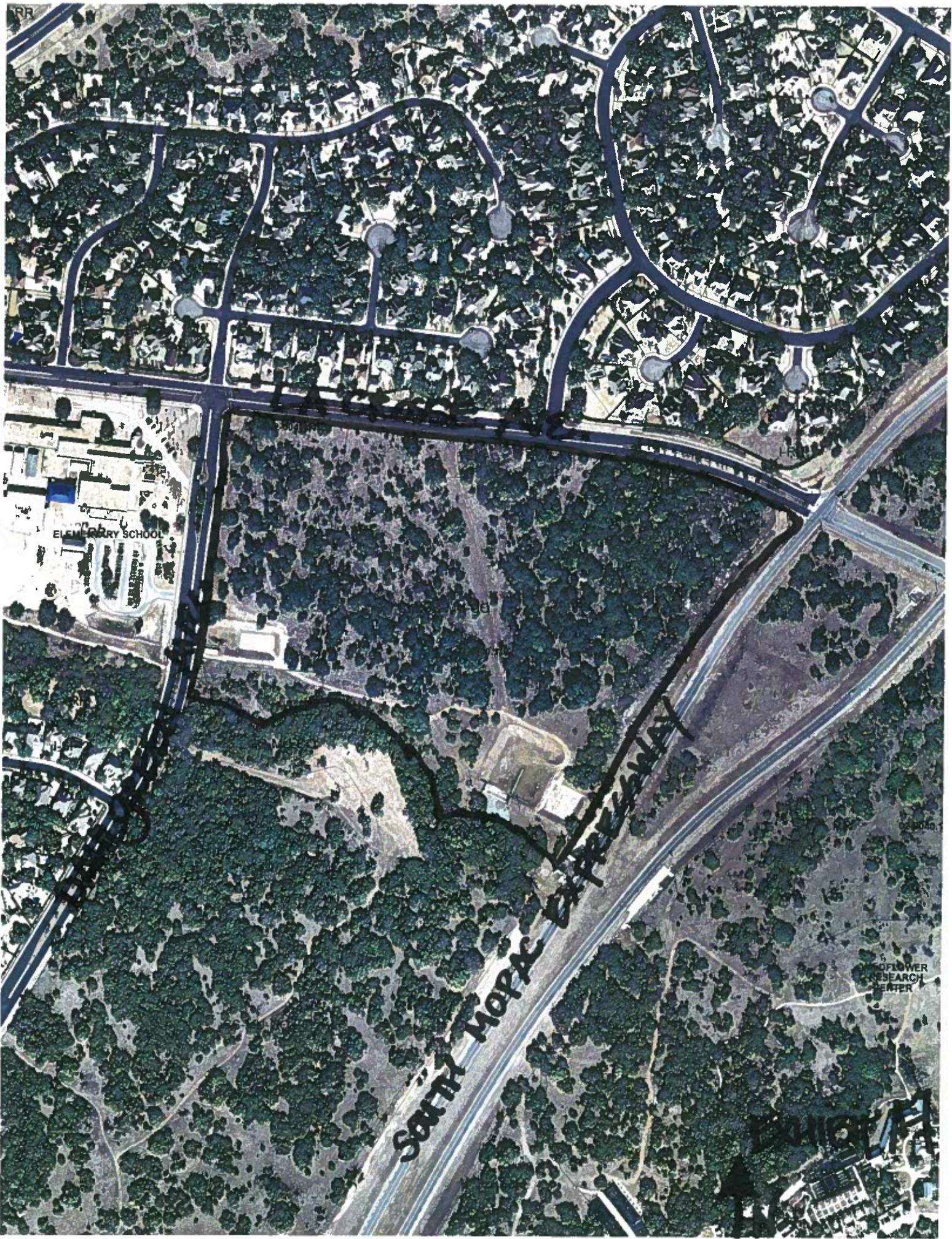
ZONING CASE#: C14-2010-0205  
 LOCATION: 5501-5617 LA CROSSE AVE  
 SUBJECT AREA: 33.790 ACRES  
 GRID: B15-16  
 MANAGER: WENDY RHOADES



-  N
-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1' = 600'

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



SOUTH MOPAC EXPRESSWAY

ELEMENTARY SCHOOL

FLOWER RESEARCH CENTER

# CIRCLE C RANCH PHASE B SECTION NINETEEN

**BENCHMARKS**

RB-100  
RAILROAD SPIKE IN TOWN 12' & 15' PECAN,  
APPROXIMATELY 90 FT. RIGHT OF CENTERLINE  
STATION 3+70 OF DAHLGREEN AVENUE.  
ELEV. = 841.48' F.B. 683 PG. 58

B-193  
BOLT IN BACK OF CURB @ EAST SIDE OF  
SOUTHBOUND MOPAC ON SOUTH SIDE OF  
LA CROSSE AVENUE.  
ELEV. = 847.79' F.B. 825 PG. 50

**AREAS**

BLOCK "Y"  
LOT 1 = 27.7412 ACRES  
LOT 2 = 6.0530 ACRES  
LA CROSSE AVE. = 3.8312 ACRES  
TOTAL = 37.6254 ACRES  
LINEAR FEET STREET = 1670 L.F.

SCALE: 1" = 100'

- LEGEND**
- I.C.P.R. TRAVIS COUNTY PLAT RECORD
  - I.C.D.R. TRAVIS COUNTY DEED RECORD
  - R.O.A. RIGHT OF WAY
  - P.U.E. PUBLIC UTILITY EASEMENT
  - S.E.C. STORM SEWER EASEMENT
  - W.L.E. WATER LINE EASEMENT
  - ☐ CONCRETE MONUMENT SET
  - ⊙ IRON ROD FOUND
  - IRON ROD SET
  - ▲ CALCULATED POINT
  - ⊞ IRON ROD WITH ALUMINUM CAP FOUND
  - BUILDING LINE
  - ⋯ SIDEWALK
  - ⊙ CONC. ELEC. PAD

**LINE BEARING DISTANCE**

1	N83°42'28"W	24.52
2	S33°37'37"E	22.10
3	S64°10'17"E	87.83
4	S70°24'43"E	319.17
5	S30°26'20"E	221.78
6	S06°37'25"E	196.80
7	S81°02'35"W	15.00
8	N06°57'25"W	194.00
9	N30°26'20"W	213.48
10	N70°24'43"W	311.90
11	N84°10'17"W	102.78
12	N33°37'37"E	42.33
13	N83°42'28"W	112.27
14	N73°46'34"W	23.45

**WATER QUALITY TRANSITION ZONE LINE TABLE**

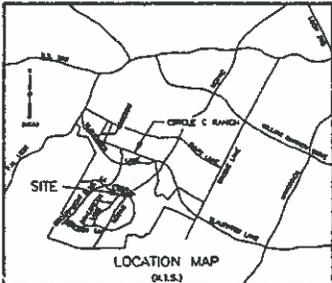
1	S73°45'54"E	134.24
2	S83°42'28"E	319.91
3	S62°55'41"E	247.83
4	S28°19'27"E	263.87
5	S60°42'29"E	346.81

**NOTE:**  
THE MINIMUM FINISHED FLOOR ELEVATION  
MUST BE AT LEAST 1 (ONE) FOOT ABOVE  
THE DRAINAGE EASEMENT.

I, JERRY FULTS, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH TITLE 13 OF OF THE AUSTIN CITY CODE OF 1981 AS AMENDED, IS TRUE AND CORRECT, AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

*Jerry Fults*  
JERRY FULTS  
REGISTERED PROFESSIONAL LAND  
SURVEYOR NO. 1999  
CAPITAL SURVEYING COMPANY  
1101 CAPITAL OF TEXAS HIGHWAY SOUTH  
BUILDING D, SUITE 110  
AUSTIN, TEXAS 78748

3-13-97  
DATE



**EXHIBIT B**  
RECORDED PLAT  
CIRCLE C RANCH  
PHASE B SECTION NINETEEN

<b>CSI</b>		CAPITAL SURVEYING COMPANY INCORPORATED 1101 Capital of Texas Highway South Austin, Texas 78748 (512) 227-0000		
DRAWN BY:	WAL	SCALE:	1" = 100'	F.B.
JOB NO.:	93506.10	DATE:	MARCH, 1997	SHEET NO.:
DRAWING NO.:	93506P2	DISC:	PLAT	2 OF 3

**ORDINANCE NO. 020801-31**

**AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING AND CHANGING THE ZONING MAP FOR A 246.389 ACRE TRACT OF LAND BORDERED GENERALLY BY SOUTH MOPAC EXPRESSWAY (LOOP 1) ON THE EAST, STATE HIGHWAY 45 ON THE SOUTH, LA CROSSE AVENUE ON THE NORTH AND DAHLGREEN AVENUE ON THE WEST, GENERALLY KNOWN AS TRACT 110 OF THE STRATUS PROPERTY AT CIRCLE C, FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-MU-CO) COMBINING DISTRICT FOR TRACT A AND TRACT C, GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY (CS-MU-CO) COMBINING DISTRICT FOR TRACT B AND GENERAL OFFICE-MIXED USE-CONDITIONAL OVERLAY (GO-MU-CO) COMBINING DISTRICT FOR TRACT B-1.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base districts on the property described in Zoning Case No.C14-02-0040.110, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract 110: A 246.389 acre tract of land, more or less, out of the Samuel Hamilton Survey No. 16, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property") and being comprised of three separate tracts of land generally described as follows:

Tract A: From interim rural residence (I-RR) district to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district.

Lots 1 and 2, Block Y, Circle C Ranch, Phase B, Section Nineteen Subdivision, a subdivision in the City of Austin, Travis County according to the map or plat of record in Book 98, Pages 371-373 of the Plat records of Travis County, Texas, and

Tract B: From interim rural residence (I-RR) district to general commercial service-mixed use-conditional overlay (CS-MU-CO) combining district.

All of that land lying between Tracts A and Tract C, SAVE AND EXCEPT, the area described as Tract B-1, and

Tract B-1: From interim rural residence (I-RR) district to general office-mixed use-conditional overlay (GO-MU-CO) combining district.

A 150 foot wide area beginning at Dahlgreen Lane and extending south from the southwest corner of Lot 2, Block "Y", Circle C Ranch Phase B, Section Nineteen (V. 98, P.371-373, T.C.D.R.) and continuing east and parallel to the north property line of Tract "B" to South Mopac Expressway.

A 25 foot wide area abutting the South Mopac Expressway and extending west from the southeast corner of Lot 1, Block "Y", Circle C Ranch Phase B, Section Nineteen and continuing south and parallel to the east property line (abutting South Mopac Expressway) of Tract "B" to the northern boundary of a 2.1985 ac. wastewater line easement further described in V. 11230, P. 1232, Travis County Deed Records.

The area of Tract "B" lying south of a line between the northwest corner of a 2.1985 ac. wastewater line easement further described in V. 11230, P. 1232, Travis County Deed Records (abutting the South Mopac Expressway) and a point 458.74 south (378.74 south of South Bay Lane) of the northeast corner of Lot 64, Block "X", Circle C Ranch Phase B, Section 15 (V. 94, P.223-225).

A 250 foot wide area and extending east from a point 458.74 south of the northeast corner of Lot 64, Block "X", Circle C Ranch Phase B, Section 15 (V. 94, P.223-225) and continuing north and parallel of said lot to South Bay Lane.

A 170 foot wide area beginning at the east boundary of Lot 64, Block "X", Circle C Ranch Phase B, Section 15 (V. 94, P.223-225) and south of South Bay Lane and extending east (N 81 degrees, 56 minutes, 15 seconds E) approximately 1,224 linear feet east, parallel to the existing and future extension of South Bay Lane.

A 160 foot wide area beginning at a point 1,054 feet east (N 81 degrees, 56 minutes, 15 seconds E) of the east property line of Lot 64, Block "X", Circle C Ranch Phase B, Section 15 (V. 94, P.223-225) at its intersection with South Bay Lane and continuing north and parallel to the west property line of Tract "B" to southwest corner of Lot 2, Block "Y", Circle C Ranch Phase B, Section Nineteen.

Tract C: From interim rural residence (I-RR) district to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district.

An area of land north of State Highway 45 and east of Escarpment Boulevard continuing 2000 feet east from and parallel to Escarpment Boulevard,

locally known as the area located generally in the area west of South Mopac Expressway, the north side of State Highway 45, east of Dahlgreen Avenue, generally east of Beachmont Lane, Bexley Lane and the future extension of Escarpment Boulevard north of State Highway 45, and south of La Crosse Avenue, and south of Mordred Lane in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

**PART 2.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions for each tract:

1. Vehicular access from the Property to Dahlgreen Avenue is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.
2. The following conditions apply to Lot 1 of Tract A:
  - A. A building or structure may not be constructed within 25 feet of La Crosse Avenue.
  - B. A building or structure occupied by a commercial use may not be constructed within 50 feet of La Crosse Avenue.
  - C. Improvements permitted within these buffer zones are limited to nature trails, landscaping, picnic tables, benches, solid fences, small trash receptacles, i.e. 55 gallons or less, access to La Crosse Avenue, surface parking facilities unless otherwise provided in this section, detention and water quality re-irrigation facilities, utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.
  - D. The maximum height of a building or structure is 40 feet from ground level.
3. The following conditions apply to Lot 2 of Tract A:
  - A. A building or structure may not be constructed within 75 feet of La Crosse Avenue.
  - B. A building or structure may not be constructed within 50 feet of Dahlgreen Avenue.

- C. Improvements permitted within these buffer zones are limited to nature trails, landscaping, access to La Crosse Avenue, picnic tables, benches, solid fences, small trash receptacles, i.e. 55 gallons or less, a surface parking facility unless otherwise provided in this section, detention and water quality re-irrigation facilities, utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.
  - D. Parking on Lot 2 of Tract A shall be located at the rear or south of a building.
  - E. Not more than 20 percent of the required parking, including handicap parking, may be located within a street yard.
  - F. The maximum height for a building or structure is 35 feet from ground level.
4. The following conditions apply to Tract B and B-1:
- A. A building or structure may not be constructed within 250 feet of platted single family lots.
  - B. Surface parking is prohibited within 200 feet of platted single family lots.
  - C. Improvements permitted within these buffer zones are limited to nature trails, picnic tables, benches, solid fences, small trash receptacles, i.e. 55 gallons or less, parking facilities unless otherwise provided in this section, detention and water quality re-irrigation facilities, utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.
  - D. The maximum height of a building or structure is 45 feet from ground level within the area beginning 250 feet to a point 375 feet from platted single family lots.
  - E. The maximum height of a building or structure is 60 feet from ground level within the area beginning 375 feet from platted single family lots.
5. The following conditions apply to Tract C:
- A. A building or structure may not be constructed within 100 feet of platted single family lots.

B. A parking facility may not be constructed within 100 feet of platted single family lots.

C. Improvements permitted within these buffer zones are limited to nature trails, landscaping, picnic tables, benches, solid fences, small trash receptacles, i.e. 55 gallons or less, detention and water quality re-irrigation facilities, utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.

D. Tract C shall be developed according to the neighborhood commercial (LR) site development regulations and performance standards of the Code.

6. The following uses of the property are prohibited uses on Lot 2 of Tract A:

Group residential	Multifamily residential
Automotive sales	Automotive rentals
Automotive washing (of any type)	Automotive repair services
Commercial off-street parking	Consumer convenience services
Consumer repair services	Drop-off recycling collection facility
Exterminating services	Financial services
Food sales	Funeral services
General retail sales (convenience)	General retail sales (general)
Hotel-motel	Indoor entertainment
Indoor sports and recreation	Outdoor entertainment
Outdoor sports and recreation	Pawn shop services
Personal improvement services	Pet services
Plant nursery	Research services
Restaurant (drive in, fast food)	Restaurant (general)
Service station	Theater
Custom manufacturing	Residential treatment
Transitional housing	Transportation terminal

7. The following uses are prohibited uses for a single occupant of any lease space over 36,750 square feet on Lot 2 of Tract A:

Bed & breakfast residential (groups 1&2)	Arts & craft studio (limited)
Business or trade school	Business support services
Communications services	Off-site accessory parking
Personal services	Guidance services
Restaurant (limited)	Special use historic
Club or lodge	College and university facilities

Communication service facilities  
 Community recreation (public)  
 Cultural services  
 Day care services (general)  
 Group home class I (general)  
 Hospital services (general)  
 Local utility services  
 Private secondary education facilities  
 Public secondary education facilities  
 Safety services  
 Urban farm

Community recreation (private)  
 Counseling services  
 Day care services (commercial)  
 Day care services (limited)  
 Group home class I (limited)  
 Hospital services (limited)  
 Private primary educational facilities  
 Public primary educational facilities  
 Religious assembly  
 Telecommunication tower  
 Medical offices (exceeding 5000 sf)

8. A restaurant (drive-in, fast food) use is a prohibited use on Lot 1 of Tract A.
9. The following uses are prohibited uses for a single occupant of any lease space over 36,750 square feet on Lot 1 of Tract A:

Bed & breakfast residential (groups 1&2)  
 Business or trade school  
 Commercial off-street parking  
 Consumer convenience services  
 Financial services  
 Funeral services  
 General retail sales (general)  
 Indoor entertainment  
 Off-site accessory parking  
 Outdoor sports and recreation  
 Personal services  
 Pet services  
 Restaurant (general)  
 Special use historic  
 Custom manufacturing  
 Communication service facilities  
 Community recreation (public)  
 Cultural services  
 Day care services (general)  
 Group home class I (general)  
 Guidance services  
 Local utility services  
 Private secondary education facilities  
 Public secondary education facilities

Arts & craft studio (limited)  
 Business support services  
 Communications services  
 Exterminating services  
 Food sales  
 General retail sales (convenience)  
 Hotel-motel  
 Indoor sports and recreation  
 Outdoor entertainment  
 Plant nursery  
 Personal improvement services  
 Theater  
 Restaurant (limited)  
 Hospital services (general)  
 College and university facilities  
 Community recreation (private)  
 Counseling services  
 Day care services (commercial)  
 Day care services (limited)  
 Group home class I (limited)  
 Hospital services (limited)  
 Private primary educational facilities  
 Public primary educational facilities  
 Club or lodge

Religious assembly  
Telecommunication tower  
Medical offices (exceeding 5000 sf)

Safety services  
Urban farm

10. The following uses of the property are prohibited uses on Tract B:

Group residential  
Automotive sales  
Automotive washing (of any type)  
Commercial off-street parking  
Consumer repair services  
Exterminating services  
Food sales  
General retail sales (convenience)  
Hotel-motel  
Indoor sports and recreation  
Outdoor sports and recreation  
Personal improvement services  
Plant nursery  
Restaurant (drive in, fast food)  
Service station  
Custom manufacturing  
Transitional housing  
Agricultural sales and services  
Campground  
Commercial blood plasma center  
Art and craft studio (general)  
Electronic prototype assembly  
Equipment sales  
Laundry service  
Vehicle storage

Multifamily residential  
Automotive rentals  
Automotive repair services  
Consumer convenience services  
Drop-off recycling collection facility  
Financial services  
Funeral services  
General retail sales (general)  
Indoor entertainment  
Outdoor entertainment  
Pawn shop services  
Pet services  
Research services  
Restaurant (general)  
Theater  
Maintenance and service facilities  
Transportation terminal  
Building maintenance services  
Monument retail sales  
Construction sales and services  
Convenience storage  
Equipment repair services  
Kennels  
Veterinary services  
Limited warehousing and distribution

11. The following uses are prohibited uses for a single occupant of any lease space over 36,750 square feet on Tract B and Tract B-1:

Bed & breakfast residential (groups 1&2)  
Business or trade school  
Communications services  
Restaurant (limited)  
Club or lodge  
Communication service facilities

Arts & craft studio (limited)  
Business support services  
Off-site accessory parking  
Special use historic  
College and university facilities  
Community recreation (private)

Community recreation (public)  
 Cultural services  
 Day care services (general)  
 Group home class I (general)  
 Hospital services (general)  
 Local utility services  
 Private secondary education facilities  
 Public secondary education facilities  
 Residential treatment  
 Urban farm  
 Guidance services  
 Medical offices (exceeding 5000 sf)

Counseling services  
 Day care services (commercial)  
 Day care services (limited)  
 Group home class I (limited)  
 Hospital services (limited)  
 Private primary educational facilities  
 Public primary educational facilities  
 Religious assembly  
 Telecommunication tower  
 Personal services  
 Safety services

12. The following uses are prohibited uses on Tract B-1:

Group residential

Multifamily residential

13. The following uses of the property are prohibited uses on Lot 1 of Tract A and Tract C:

Group residential  
 Automotive sales  
 Automotive washing (of any type)  
 Service station  
 Drop-off recycling collection facility  
 Transportation terminal

Multifamily residential  
 Automotive rentals  
 Automotive repair services  
 Pawn shop services  
 Transitional housing  
 Residential treatment

14. The following uses are prohibited uses for a single occupant of any lease space over 36,750 square feet on Tract C:

Bed & breakfast residential (groups 1&2)  
 Business or trade school  
 Commercial off-street parking  
 Consumer convenience services  
 Financial services  
 Funeral services  
 General retail sales (general)  
 Indoor entertainment  
 Off-site accessory parking  
 Outdoor sports and recreation  
 Personal services

Arts & craft studio (limited)  
 Business support services  
 Communications services  
 Exterminating services  
 Food sales  
 General retail sales (convenience)  
 Hotel-motel  
 Indoor sports and recreation  
 Outdoor entertainment  
 Plant nursery  
 Personal improvement services

Pet services  
 Restaurant (general)  
 Restaurant (drive-in, fast food)  
 Custom manufacturing  
 Communication service facilities  
 Community recreation (public)  
 Cultural services  
 Day care services (general)  
 Group home class I (general)  
 Guidance services  
 Local utility services  
 Private secondary education facilities  
 Public secondary education facilities  
 Religious assembly  
 Telecommunication tower  
 Medical offices (exceeding 5000 sf)

Theater  
 Restaurant (limited)  
 Special use historic  
 College and university facilities  
 Community recreation (private)  
 Counseling services  
 Day care services (commercial)  
 Day care services (limited)  
 Group home class I (limited)  
 Hospital services (limited)  
 Private primary educational facilities  
 Public primary educational facilities  
 Club or lodge  
 Hospital services (general)  
 Urban farm

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

**PART 3.** The Council waives the requirements of Sections 2-2-3 and 2-2-7 of the City Code for this ordinance.

**PART 4.** This ordinance takes effect on August 15, 2002.

**PASSED AND APPROVED**

\_\_\_\_\_ August 1, 2002

§  
 §  
 §  
 \_\_\_\_\_  
 Gustavo L. Garcia  
 Mayor

**APPROVED:** \_\_\_\_\_  
 Sedora Jefferson  
 City Attorney

**ATTEST:** \_\_\_\_\_  
 for Shirley A. Brown  
 Shirley A. Brown  
 City Clerk



**SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant community commercial – mixed use – conditional overlay (GR-MU-CO) combining district zoning to modify the conditional overlay for a college and university facilities use, specifically to increase the square footage for a single occupant of a leasable space from 36,750 to 74,000 square feet on Lot 1 and to prohibit the use on Lot 2. All other portions of the Conditional Overlay that apply to Tract A will remain unchanged.

**BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

*1. The proposed zoning should be consistent with the purpose statement of the district sought.*

The proposed community commercial (GR) district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major trafficways. The MU – Mixed Use combining district is intended for combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development.

*2. Zoning changes should promote compatibility with adjacent and nearby uses, and should not result in detrimental impacts to the neighborhood character.*

Staff recommends the Applicant's request as it: 1) represents an incremental change in zoning on the property; 2) allows for a low traffic generating use that is compatible with the nearby uses including single family residences, an elementary school and child care facilities; and 3) balances the allowable density for the proposed use over one lot instead of spreading it across two lots.

**EXISTING CONDITIONS****Site Characteristics**

The tract is undeveloped and slopes to the south. The recorded plat shows a drainage easement that generally follows the south property line, which contains the critical water quality zone and the water quality buffer zone.

**Impervious Cover**

The maximum impervious cover allocated to Tract 110 is 15% of 246.389 acres, as established by the Development Agreement between the City of Austin and Circle C Land Corp, effective as of August 15, 2002. Lot 1 is allocated 155,000 square feet of impervious cover. No changes to the allocated impervious cover are contemplated with the rezoning application.

**Environmental**

This site is located over the Edwards Aquifer Recharge Zone. The site is in the Slaughter Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone (BSZ) Watershed. It is in the Drinking Water Protection Zone.

The site is located within the endangered species survey area.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current Circle C Agreement, development or redevelopment on this site will be subject to providing structural sedimentation, filtration and/or re-irrigation basins per Section 7 of the Agreement.

**Transportation**

No additional right-of-way is needed at this time.

The traffic impact analysis for this site was waived because this property is subject to the Development Agreement between the City of Austin and Circle C Land Corporation referenced and recorded in Document No. 2002151984 with Zoning Case C14-02-0040.110.

**Water and Wastewater**

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

**Compatibility Standards**

Site plans will be required for any new development other than single-family or duplex residential.

This site is in the Scenic Roadway sign district. All signs must comply with Scenic Roadway sign district regulations.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

**Rhoades, Wendy**

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**From:** [REDACTED]  
**Sent:** Tuesday, March 01, 2011 12:39 PM  
**To:** Rhoades, Wendy  
**Subject:** Re: Case Number C14-2010-0205

## Austin Zoning and Plating Commission

I live near the property where the zoning change is being requested for case #C14-2010-0205. As I understand it, the applicant is requesting to increase the square footage allowed for educational use on the property in order to build a post-graduate physical therapy school. The applicant has talked with me on several occasions as well as made presentations to the Circle C Homeowners Association explaining their proposed actions. I am generally supportive of their plan with a few cautions that I would like you to consider.

1. Traffic Issues: I have been told that this proposed activity will not require a traffic study. However, the only inlet and outlet to the property will be at the intersection of LaCrosse Ave and Eclipse Ln. The area of Circle C where I reside has its only entrance and exit at this same intersection. It is already difficult at peak traffic hours to make the left onto LaCrosse to get to MoPac (Loop 1). Residents in this area are concerned that the proposed activity (or any business usage of this property) may cause a potentially dangerous situation at this intersection with residents trying to make a left onto LaCrosse and students entering and exiting the property. A four way stop may be a viable solution to the problem if it occurs. However, with no required traffic study, we will not have this information until after the school opens. As a resident, I do not want the City to wait until accidents occur at the intersection before taking action to at least study the situation. This is an area where school traffic (both vehicular and pedestrian) to Kiker Elementary, school buses for high school and middle school, and other traffic can be fairly heavy especially in the morning hours. I just think it would be prudent for the City of Austin and the applicant to plan for potential traffic issues in the early stages of this plan rather than later. The residents that live here already went through a long process that included several fatalities at MoPac and LaCrosse before a traffic light was finally installed.

2. Consistent Use in a Residential Area: I have been assured by the applicant that the architectural review stage on their building plans will include a process to ensure that parking areas are screened for headlights that may shine on houses, lighting for the facilities are low, appearance of the buildings are consistent with requirements for Circle C HOA, additional landscaping that may be required, etc.

3. Parking: It appears that adequate parking may be provided on-site for the educational buildings. It would cause even greater traffic issues if students intend to park on LaCrosse Ave or come into our neighborhood and park on Eclipse Ln in order to get access to the buildings.

If the applicant and the city can address these issues adequately, I would support the plan to change the zoning on this property.

Thank you  
 Lisa Laird  
 10208 Stellar Cove  
 Austin, TX 78739

-----Original Message-----

From: Rhoades, Wendy <Wendy.Rhoades@ci.austin.tx.us>  
 To: [REDACTED]  
 Sent: Tue, Mar 1, 2011 9:15 am  
 Subject: RE: Case Number C14-2010-0205

3/1/2011

Lisa,

Please feel free to email your comments to me and I will include them with the backup that is forwarded to the Zoning and Platting Commission. If you would like to send a FAX, my number is 974-6054.

Wendy

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**From:** [redacted] [mailto:[redacted]]

**Sent:** Tuesday, March 01, 2011 8:47 AM

**To:** Rhoades, Wendy

**Subject:** Case Number C14-2010-0205

I was planning on attending the meeting tonight regarding the rezoning of the land at LaCrosse and MoPac (Case #C14-2010-0205), but I am going to be unable to be there. Can I fax my comments to you? If so, what is the number. Or, I can e-mail them as well. Please let me know. Thanks!

Lisa Laird

**PUBLIC HEARING INFORMATION**

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

**Case Number: C14-2010-0205**  
**Contact: Wendy Rhoades, 512-974-7719**  
**Public Hearing: Mar. 1, 2011, Zoning and Platting Commission**  
**Mar. 10, 2011, City Council**

I am in favor  
 I object

Sharon Coleman  
 Your Name (please print)

10212 Dahlgreen Ave  
 Your address(es) affected by this application

Sharon Coleman  
 Signature

78739  
 Date

Daytime Telephone: 512-330-4406

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
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 \_\_\_\_\_

If you use this form to comment, it may be returned to:

City of Austin  
 Planning & Development Review Department  
 Wendy Rhoades  
 P. O. Box 1088  
 Austin, TX 78767-8810

**Rhoades, Wendy**

**From:** Rhoades, Wendy  
**Sent:** Tuesday, March 01, 2011 2:02 PM  
**To:** Anguiano, Dora  
**Subject:** FW: Case Number C14-2010-0205

Hi Dora,

In preparation for Item C-3 on tonight's Zoning and Platting Commission meeting, could you please forward this correspondence to the Commissioners, as well as a brief Staff response.

Staff response:

1. A Traffic Impact Study is not required with the subject rezoning case. The Applicant has agreed to do a 4-way stop study with the site plan application.
2. Along with the Development Agreement that governs the property, the Covenants, Codes and Restrictions dictate that the building and site design are consistent with the character of the Circle C Ranch area. In addition, the City's compatibility standards will be applied at the site plan stage.
3. The proposed development will meet the City's parking requirements.

Thank you,  
 Wendy

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**From:** [redacted] [mailto:[redacted]]  
**Sent:** Tuesday, March 01, 2011 12:39 PM  
**To:** Rhoades, Wendy  
**Subject:** Re: Case Number C14-2010-0205

Austin Zoning and Platting Commission

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3/2/2011

shine on houses, lighting for the facilities are low, appearance of the buildings are consistent with requirements for Circle C HOA, additional landscaping that may be required, etc.

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Thank you  
Lisa Laird  
10208 Stellar Cove  
Austin, TX 78739

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From: Rhoades, Wendy <Wendy.Rhoades@ci.austin.tx.us>  
To: ~~l.laird@ci.austin.tx.us~~  
Sent: Tue, Mar 1, 2011 9:15 am  
Subject: RE: Case Number C14-2010-0205

Lisa,  
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Wendy

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**Subject:** Case Number C14-2010-0205

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